

**DETERMINATION AND FINDINGS
FOR A
SOLE SOURCE PROCUREMENT**

CONTRACT NO:
CAPTION: Airvision Data Acquisition System
PROPOSED CONTRACTOR: Agilaire, LLC
PROGRAM AGENCY: District Department of Environment
AUTHORIZATION: D.C. Official Code §2-354.04, 27 DCMR 1304 and 1700

1. MINIMUM NEED: The District Department of Environment has a critical need to maintain an ambient air quality to meet the federal Clean Air Act mandates through the use of the software/system designed and supported by Agilaire. The District's air monitoring program currently uses Agilaire's Airvision Data Acquisition system software as the data acquisition software system for real-time polling and Environmental Protection Agency (EPA) reporting. The Agilaire software will enable the District to continue to be in compliance with the EPA requirement to submit, collect, and report air quality to the public to protect health. The current software has proven to be dependable, easy to use, and responsive to the District's reporting needs.

2. ESTIMATED REASONABLE PRICE:

The estimated price is \$11,396.00

3. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:

The current software/system was designed by Agilaire LLC and would not be transferrable to another vendor as it is the property of Agilaire. The selection of another vendor or another system would require buying all new data loggers and instrument interfaces. In addition, switching to another vendor would require the purchase of new software and the staff training would be necessary. The

Continuation of the use of the software and the associated services with the current Contractor is requested because:

- (1) The Contractor has provided similar product and services to the District continuously since 2008;
- (2) Continuation of service with the Contractor will allow the District to remain in compliance with the EPA and Clean Air Act requirements of submitting, collecting, and reporting air quality to the public to protect public.

- (3) The economic burden of transitioning to another vendor and the possible loss of data by the District during that transition would not be not be in the best interest of the District

4. CERTIFICATION BY AGENCY HEAD

I hereby certify that the above findings are true, correct and complete.

Date

Director, Department of Environment

5. CERTIFICATION BY CONTRACTING OFFICER

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with Section 404(c) of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Official Code §2-354.04) and that [no response was received] [the response received was rejected because _____]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

Date

Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

Date

James D. Staton, Jr.
Chief Procurement Officer